

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/23/2000

10/19/2000

CLERK OF THE COURT
FORM R012

HONORABLE BARBARA RODRIGUEZ
MUNDELL

L. Sheehan/S. Ruelas

Deputy

CR 1997-012793

FILED: _____

STATE OF ARIZONA

LISA MARI ROBERTS

v.

OWEN ARVIE THOMPSON

ROBERT ARENTZ

APO-CCC
DISPOSITION CLERK-CCC
MCSO-DIS

TRIAL MINUTE ENTRY
DAY 4

9:08 a.m. IN CHAMBERS: State is represented by Lisa Mari Roberts. Defendant is not present but is represented by Robert Arentz.

Court Reporter, Kathleen Incavo, is present.

Let the record reflect the Defendant's presence is waived for this hearing.

Final jury instructions and verdict forms are settled.

Scheduling matters are discussed.

9:14 a.m. Court stands at recess.

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9:39 a.m. Court reconvenes with respective counsel and Defendant present.

Trial to a jury continues from October 18, 2000.

The jury is present.

Court Reporter, Kathleen Incavo, is present.

State's rebuttal:

Kenneth Richard Swingle is recalled to the stand and testifies further.

Closing arguments commence.

10:20 a.m. Court stands at recess.

10:30 a.m. IN CHAMBERS: State is represented by Lisa Mari Roberts with case agent, Kenneth Swingle. Defendant is not present but is represented by Robert Arentz.

Court Reporter, Kathleen Incavo, is present.

Let the record reflect Defendant's presence is waived for this hearing.

Discussion is held regarding defense counsel's closing argument.

10:32 a.m. Court stands at recess.

10:35 a.m. Court reconvenes with respective counsel and Defendant present. The jury is all present.

Court Reporter, Kathleen Incavo, is present.

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Closing arguments conclude.

The jury is instructed as to the law applicable to this case.

Juror, Bill Cole, is designated by lot as the alternate juror and is excused from further consideration in this case.

The jury retires in charge of sworn bailiff.

Discussion is held regarding a modification of the verdict forms. Said forms are amended and read into the record.

11:58 a.m. Court stands at recess.

4:45 p.m. Court reconvenes with respective counsel and defendant present

Court Reporter, Kathleen Incavo, is present.

The jury is all present in the jury box and by their foreman return into Court their verdicts, which are read and recorded by the clerk, and are as follows:

"We the jury duly empaneled and sworn in the above-entitled action, upon our oaths, do find the Defendant NOT GUILTY of Count 1: MOLESTATION OF A CHILD (this count refers to the first incident in the community pool).

Foreperson:

Christopher M. Jennings.

"We the jury duly empaneled and sworn in the above-entitled action, upon our oaths, do find the Defendant GUILTY of Count 2: MOLESTATION OF A CHILD (this count refers to the last incident in the community pool).

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Foreperson:

Christopher M. Jennings.

"We the jury duly empaneled and sworn in the above-entitled action, upon our oaths, do find the Defendant GUILTY of Count 3: MOLESTATION OF A CHILD (this count refers to incident that occurred at Lake Pleasant).

Foreperson:

Christopher M. Jennings."

The jury replies that these are their true verdicts.

At the request of the State, the jury is polled, and each juror replies that these are his or her verdicts.

FILED: Verdicts

The jury is excused from further consideration of this cause.

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on November 28, 2000, at 8:30 a.m. in this division.

IT IS FURTHER ORDERED that a presentence investigation and report be made.

ISSUED: Green Slip

IT IS FURTHER ORDERED that the defendant be released from custody **as to Count 1 only.**

ISSUED: Order of Release

IT IS FURTHER ORDERED remanding the defendant to the custody of the Sheriff pending sentencing **as to Counts 2 and 3** on November 28, 2000.

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ISSUED: Order of Confinement
FILED: Instructions, Exhibit Worksheet

4:55 p.m. Court ajourns.